

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ARVELLO L. TUFONO,
Plaintiff,

v.

C. YORK,
Defendant.

No. 2:24-cv-0164 CKD P

ORDER AND

FINDINGS AND RECOMMENDATIONS

Plaintiff is a Sacramento County Jail inmate proceeding pro se with a civil rights action pursuant to 42 U.S.C. § 1983. On August 2, 2024, defendant filed a motion to revoke plaintiff's in forma pauperis status. On September 9, 2024, plaintiff was ordered to file a response to the motion within thirty days. In the same order, plaintiff was informed that failure to file a response would result in a recommendation that this action be dismissed pursuant to Fed. R. Civ. P. 41(b). The thirty-day period has now expired, and plaintiff has not responded to the court's order.

Good cause appearing, IT IS HEREBY ORDERED that the Clerk of the Court assign a district court judge to this case.

IT IS HEREBY RECOMMENDED that this action be dismissed without prejudice.

These findings and recommendations are submitted to the United States District Judge assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days after being served with these findings and recommendations, any party may file written

1 objections with the court and serve a copy on all parties. Such a document should be captioned
2 “Objections to Magistrate Judge’s Findings and Recommendations.” Any response to the
3 objections shall be filed and served within fourteen days after service of the objections. The
4 parties are advised that failure to file objections within the specified time may waive the right to
5 appeal the District Court’s order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

6 Dated: October 17, 2024

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8 CAROLYN K. DELANEY
9 UNITED STATES MAGISTRATE JUDGE
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